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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Min Chuin Hoo

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MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER

JOSEPH, JAISON

ART UNIT

PAPER NUMBER

2611

MAIL DATE

DELIVERY MODE

11/14/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

Applicant's arguments filed 10/23/2008 have been fully considered but they are not persuasive.

As per 112 rejection, Applicant argue, “[t]he Applicant respectfully disagrees and maintains that the above referenced limitation from claim 1 is fully supported by the present specification. For example, the Examiner is referred to Applicant's FIG. 1A and corresponding description in paragraph 30. More specifically, as stated in lines 3-6 on p. 11 of the specification, the processor 106 may determine an estimated received power for all antennas in receiver system 100 and store the values in memory 108. In this regard, the information stored in memory 108 is "received via each of the plurality of signal paths." The signal path selection may then be based on the information stored in memory 108. Therefore, the Applicant submits that all claims 1-48 comply with the written description requirement and the rejection under 35 U.S.C. § 112 should be withdrawn.” However Examiner respectfully disagrees. “The stored information received via each of the plurality of signal path” is not same as determining values based on the received information and storing the values in the memory at the receiver. The stored information received via each of the plurality of signal path” is interpreted as the stored information is received from a transmitter via plurality of signal paths. Above mentioned section only teaches " the processor 106 may determine an estimated received power for all antennas in receiver system 100 and store the values in memory 108”. Which is the processor 106 is determining received power and storing the result of the determination in the memory. However the stored information is not received via

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each plurality of signal paths. Instead the stored information is determined by the processor 106 in the receiver itself. The stored information may represent the information about the signal path. Nowhere in the specification discloses the stored information is received via plurality of signal paths. Therefore the claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one ordinary skilled in the relevant art that the inventor, at the time the application was filed , had possession of the claimed invention. Therefore Examiner maintains the rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAISON JOSEPH whose telephone number is (571)272-6041. The examiner can normally be reached on M-F 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on (571) 272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/J. J./

Examiner, Art Unit 2611

/CHIEH M FAN/

Supervisory Patent Examiner, Art Unit 2611